

# *When They See Us* Haunts Prosecutor Linda Fairstein

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BY LAURA BRADLEY

JUNE 5, 2019



BY PETER KRAMER/NBC/NBC NEWSWIRE VIA GETTY IMAGES.

va DuVernay's most recent Netflix project, *When They See Us*, is already proving to be some of her most impactful work yet—at least, in terms of tangibly forcing change. The four-part limited series tells the story of the Central Park Five, a group of black and Latino teenagers who were wrongfully convicted in 1990 for beating and raping a jogger in Central Park. **Linda Fairstein**, the chief Manhattan sex-crimes prosecutor who was not the lead prosecutor but oversaw the case, has faced scrutiny before for the role she played in the boys' conviction. But *When They See Us* might have actually created a watershed moment: days after its release, Fairstein has resigned from multiple boards as calls for a boycott of her work erupt online.

So far Fairstein has **resigned** from at least two nonprofits: the Vassar College Board of Trustees, following an **online petition** from students and a **formal review** by the college, and Safe Horizon, a New York City-based organization that seeks to help victims of domestic abuse. According to Vassar president **Elizabeth Bradley**, Fairstein resigned because she "believed that her continuing as a Board member would be harmful to Vassar."

Speaking with the ***Daily Beast***, DuVernay said she reached out to several people involved in the case while developing *When They See Us*. "I informed them that I was making the film, that they would be included, and invited them to sit with me and talk with me so that they could share their point of view and their side of things so that I could have that information as I wrote the script with my co-writers," DuVernay said. "Linda Fairstein actually tried to negotiate. I don't know if I've told anyone this, but she tried to negotiate conditions for her to speak with me, including approvals over the script and some other things. So you know what my answer was to that, and we didn't talk."

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## *When They See Us* Haunts Prosecutor Linda Fairstein

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**Felicity Huffman** plays Fairstein in DuVerney's series, which dramatizes both the group's conviction and what happened after their convictions were overturned. In the series, as in real life, the *Washington Post* notes, Fairstein remains steadfast that the investigation and prosecution was upright, and that the confessions of the wrongfully accused were not coerced.

After decades working in law, Fairstein parlayed her knowledge of the legal system into a career as an author, writing internationally best-selling mystery novels about a Manhattan-based prosecutor named Alexandra Cooper. As the *Post* notes, Fairstein's literary career has not been without controversy either; days after Mystery Writers of America bestowed upon her the title of Grand Master, the organization rescinded the honor in response to backlash from its members—including **Attica Locke**, a writer on the Netflix program.

Since *When They See Us* debuted, Fairstein has seen her literary endeavors come under fire as well; an [online petition](#) calling for a boycott of her work has already reached 85,000 signatures and counting. The petition calls not only for consumers, but for commercial entities like publishers to distance themselves from Fairstein. Her publisher, Penguin's Dutton, did not immediately respond to V.F.'s request for comment.

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*Ava DuVernay on the Central Park Five Case and Why She Treated Trump as a 'Footnote'*

SCALES OF JUSTICE



Roy Rochlin/Getty

The acclaimed filmmaker and activist opens up about her new Netflix miniseries 'When They See Us,' exploring the lives of the so-called Central Park Five, and the Trump of it all.

**Marlow Stern**

[Senior Entertainment Editor](#)

Updated Jun. 03, 2019 7:50AM ET / Published Jun. 02, 2019 7:14AM ET

"It's just *disgusting*," sighs Ava DuVernay.

The [Oscar-nominated filmmaker and TV showrunner](#) is discussing the role of President Donald Trump in [the Central Park Five case](#), wherein five teenage boys of color—Korey Wise, Antron McCray, Yusef Salaam, Kevin Richardson, and Raymond Santana—were falsely convicted of the 1989 rape and vicious assault of Trisha Meili, a white investment banker, and subsequently spent up to 14 years in prison.

At the time Trump, then a PR-hungry NYC real estate baron who [occasionally served as his own publicist](#), sensed an opportunity for some headlines and inserted himself into the case, inflaming racial tensions with frequent comments to news programs along with newspaper ads, purchased for \$85,000, calling the boys "crazed misfits" and urging the state of New York to "bring back to the death penalty," essentially calling for their pre-trial execution. He concluded: "Maybe hate is what we need if we're gonna get something done."

Of course, after having their youth snatched from them through years in prison, the five men—whose confessions were coerced by police after 30 hours of interrogation—were exonerated for the crime in 2002 when Matias Reyes, a serial rapist, confessed to it, and DNA evidence taken from the victim confirmed it was him (to a factor of 1 in 6,000,000,000 people). The charges were completely vacated and the five men were subsequently awarded \$41 million from the city in 2014. The settlement prompted Trump to pen [a Daily News op-ed](#) railing against the settlement, claiming that he was still convinced of their guilt and that “these young men do not exactly have the pats of angels.”

*When They See Us*, DuVernay’s four-part Netflix series on the famous case, provides a riveting—and maddening—portrait of the five boys, chronicling their lives from that fateful night in the park through their respective troubles reacclimating to society. And instead of focusing on Trump, who is relegated to a couple of news clips, it places the spotlight squarely on the boys whose lives were forever changed by an iniquitous system and a media all too ready to feed it.

•

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The Daily Beast spoke with the prolific DuVernay, whose [Martin Luther King Jr. biopic \*Selma\*](#) helped inspire [the #OscarsSoWhite movement](#), and documentary *13th* examined the racist history of America's criminal justice system, about her latest eye-opening work.

**Before we get into your excellent new miniseries, I'm curious when you knew that you wanted to be a change agent?**

I definitely never made a decision and said "I want to be a change agent," I just was always interested in the world of justice. As a teenager, my Aunt Denise introduced me to Amnesty International when I was very young, based on things that I was hearing were happening in other parts of the world. I remember going to my first Amnesty International concert as a young teenager, 14 or 15, and seeing U2 for the first time. And I remember, I had my Amnesty International card *and* jacket. I felt like there was something more to be a fan of than boy bands, and that's the earliest thing I can remember in terms of that kind of "formal" activism. But in terms of the community in which I lived, there was always a lot going on in front of me, and I think I was trying to make connections between what I was seeing and ways to remedy them.

**And overpolicing must have been one of those things you witnessed in Compton growing up.**

Yes, certainly.

**I did read that you initially started out in journalism, which is one way of bringing about change. How did your experiences in journalism lead you to fall out of love with it?**

I was an intern on the O.J. Simpson unit. As a junior at UCLA, I'd really pursued this internship that was really hard to get at *CBS Evening News* with [Dan Rather](#) and Connie Chung. It was a tough one, because they were one of the only networks that had real active bureaus in Los Angeles. So I got it, and was thrilled. I got it maybe two weeks before the O.J. trial began, was assigned a juror, and my job was to be outside the juror's home all day. I was never told to dig through the trash or any of that, but it was certainly a competitive environment, because there was an intern on every juror's house. And I just thought, is this it? Obviously it's not—there are great journalists out there doing amazing work—but it felt to be the beginning of a tabloid era, even though I couldn't articulate it at that point. I just knew this wasn't what I thought it was, or wanted to do, and didn't think it was completely ethical. So, I found other ways to engage with news and fell into publicity.



Ava DuVernay directs actor Jharrel Jerome, who plays Korey Wise, on the set of 'When They See Us'

Atsushi Nishijima/Netflix

**Let's talk *When They See Us*. The project was first announced in July 2017, and I'm curious if you were at least in part inspired to tackle it by Trump's presidential run.**

No, no. Trump wasn't even thought of when we first started this—it was in early 2015 that I first started engaging with this, and engaged the men for their life rights. This started with me and Participant Media, which helped me secure the life rights, so it's been a four-year process and I don't even remember thinking about Trump other than his minor involvement in this case at that time. He hadn't even said his 2016 comments about thinking that they were still guilty, and he hadn't announced [his presidential run] yet.

**This sort of began on Twitter, right?**

I followed an account called '[The Central Park 5](#)' after seeing [the documentary](#), so this was maybe early 2015 or 2014. And the account had [tweeted me](#), "What's your next film" after *Selma*? CP5? So then, I direct-messaged the account and found out it was run by Raymond Santana and asked, "Does no one have your life rights?" It turns out they didn't, and that began a conversation where I met the men one by one and became passionate about telling their story.

**So the project gets rolling in early 2015, and then in June 2015 Trump announces his presidential candidacy. Did it feel like kismet at that point?**

No, Trump was never the focus. When Trump announced his presidency, first, I thought it was a joke; and I never would have connected it to this, because he's not my primary signifier, barometer, or signpost. He's really a minor part of the story. It's their story. It's the story of five boys ripped out of their youth, and the story of their families, which was always my priority. He's an interesting footnote, but from what you'll see in the piece, we treat him that way—because that's what he was in the eyes of

the boys as they were going through this chaos and terror. And that wasn't the chaos and terror of being called names by this guy that owns a bunch of buildings, it was the chaos and terror of having to walk into adult prisons in the moment and experience actual physical danger—and the violations to your life as a free citizen. He didn't figure prominently in that moment, and to be honest, never really did for us.

**What sort of research did you do for this project? And how did you gain the men's trust?**

I got to know them really well. Much more than dinners, I consider them all friends—I've been in their homes, they've been in mine. Over the course of the four years, I've developed personal relationships with each of them that are separate and apart from them as a group. I know their families, have spoken with their families, their wives, various girlfriends over the years, and really had to become immersed in their lives in order to really understand what I could expect and put into a story that best represented them; that, in addition to reading the court transcripts and all the paperwork on the case.

**Did you reach out to Trisha Meili for this?**

Yes, I reached out to Ms. Meili, I reached out to Ms. Fairstein, I reached out to Ms. Lederer, I reached out to Mr. Sheehan—a lot of the key figures on the other side. I informed them that I was making the film, that they would be included, and invited them to sit with me and talk with me so that they could share their point of view and their side of things so that I could have that information as I wrote the script with my co-writers. Linda Fairstein actually tried to negotiate. I don't know if I've told anyone this, but she tried to negotiate conditions for her to speak with me, including approvals over the script and some other things. So you know what my answer was to that, and we didn't talk.

**And Trisha Meili also declined to talk?**

Yes.

*Right now he's the president of the United States, so it figures in when he's tweeting about the 1994 crime bill and his "staunch advocacy" for African-Americans—all this ridiculousness that we know to be opportunistic, contrived, and manufactured for political gain.*

**There were a lot of big creative choices to make in this film, many of which pay off. Why did you decide to almost immediately thrust viewers into the night of the alleged attack in the park?**

I explored a lot of ways of how to get in. You can get in after, like, something happened in the park—let's go back and find out. You can do it completely backwards, where the men are exonerated and then do it through the case and their redress with the city. You can do it through an investigator who's looking at the crime, or a lawyer. But for me, it just came down to the boys—to stay with the boys, because it's *their* story. When I really committed myself to that point of view it became easy to, even when tempted to follow different people, return to the mission of telling their story. We thought, no, we wouldn't go have an actor play Trump to go see what he's doing, because *he* is not *them*. We stay with *them*. And we need to deal with him and others in the way that they were, so he only figures into the story in the way that they feel him, and their parents feel him. I'm just using him as an example, but that's the way that we addressed every kind of story point that might have taken us down another path.

**Although Trump is, like you said, a bit of a "footnote" in this story, he also was one of the people who led the charge in shaping public opinion around these boys.**

I have to say, you know, he actually wasn't the hugest ringleader at the time. Right now he's the president of the United States, so it figures in when he's tweeting about the 1994 crime bill and his "staunch advocacy" for African-Americans—all this ridiculousness that we know to be opportunistic, contrived, and manufactured for political gain. But at the time, he wasn't the only one. Pat Buchanan said that they should be tried, convicted, and hung in a public square; and in 1989, Pat Buchanan was a *huge* figure. So there were a number of them, and I wouldn't say Trump was the ringleader. It was New York, he was a businessman, he was looking to get on the map nationally, and it was a sensationalistic thing to do. He was one of many players, he saw an opportunity—he's an opportunist—and he went for it.

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# BRING BACK THE DEATH PENALTY.

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What has happened to our City over the past ten years? What has happened to law and order, to the neighborhood cop we all trusted to safeguard our homes and families, the cop who had the power under the law to help us in times of danger, keep us safe from those who would prey on innocent lives to fulfill some distorted inner need. What has happened to the respect for authority, the fear of retribution by the courts, society and the police for those who break the law, who wantonly trespass on the rights of others? What has happened is the complete breakdown of life as we knew it.

Many New York families — White, Black, Hispanic and Asian — have had to give up the pleasure of a leisurely stroll in the Park at dusk, the Saturday visit to the playground with their families, the bike ride at dawn, or just sitting on their stoops — given them up as hostages to a world ruled by the law of the streets, as roving bands of wild criminals roam our neighborhoods, dispensing their own vicious brand of twisted hatred on whomever they encounter. At what point did we cross the line from the fine and noble pursuit of genuine civil liberties to the reckless and dangerously permissive atmosphere which allows criminals of every age to beat and rape a helpless woman and then laugh at her family's anguish? And why do they laugh? They laugh because they know that soon, very soon, they will be returned to the streets to rape and maim and kill once again — and yet face no great personal risk to themselves.

Mayor Koch has stated that hate and rancor should be removed from our hearts. I do not think so. I want to hate these muggers and murderers. They should be forced to suffer and, when they kill,

they should be executed for their crimes. They must serve as examples so that others will think long and hard before committing a crime or an act of violence. Yes, Mayor Koch, I want to hate these murderers and I always will. I am not looking to psychoanalyze or understand them, I am looking to punish them. If the punishment is strong, the attacks on innocent people will stop. I recently watched a newscast trying to explain the "anger in these young men". I no longer want to understand their anger. I want them to understand our anger. I want them to be afraid.

How can our great society tolerate the continued brutalization of its citizens by crazed misfits? Criminals must be told that their **CIVIL LIBERTIES END WHEN AN ATTACK ON OUR SAFETY BEGINS!**

When I was young, I sat in a diner with my father and witnessed two young bullies cursing and threatening a very frightened waitress. Two cops rushed in, lifted up the thugs and threw them out the door, warning them never to cause trouble again. I miss the feeling of security New York's finest once gave to the citizens of this City.

Let our politicians give back our police department's power to keep us safe. Unshackle them from the constant chant of "police brutality" which every petty criminal hurls immediately at an officer who has just risked his or her life to save another's. We must cease our continuous pandering to the criminal population of this City. Give New York back to the citizens who have earned the right to be New Yorkers. Send a message loud and clear to those who would murder our citizens and terrorize New York — **BRING BACK THE DEATH PENALTY AND BRING BACK OUR POLICE!**

ONLY NEWSPAPERS, NEW YORK, 1990



Donald J. Trump

The full-page newspaper ad taken out by Donald Trump calling for the execution of the Central Park Five boys

What were your big takeaways from spending time with Korey Wise, Antron McCray, Yusef Salaam, Kevin Richardson, and Raymond Santana?

They're broken people. Yes, they can get in on a panel and talk about their experience, but they're not all completely well-adjusted. There are different levels of that, based on the support that they have in their lives and based on the level of trauma that they've experienced, all of which are different. I think the two that are having the most challenging time, even now, are Korey Wise and Antron McCray. Korey Wise lost more than his youth—it was 14 years; he goes in at 16; he was the one in there the longest; he goes straight into Rikers at 16 and never comes out; he's still in while the others are out; and he endured great abuse and great trauma at the hands of the state of New York.

And Antron McCray's family was fractured in those precinct interrogation rooms. He basically lost his father in that room, and the family broke apart. That family never recovered. And now that both of his parents have passed away, and his mother passed away just over a month ago—she never got to see the film, and she worked on it with me pretty closely—he's in a state of brokenness. There's great trauma there that \$41 million from the city, split between the five, with no acknowledgement of what was done, doesn't really fix.

**The film is an indictment of many things and the media is one of them, as the media at the time played a large role in helping convict these boys in the court of public opinion—going as far as printing their names and addresses even though they were underage.**

The press coverage was biased. There was a study done by Natalie Byfield, one of the journalists at the time for the New York papers who later wrote a book about covering the case, and it saw that a little more than 89 percent of the press coverage at the time didn't use the word "alleged," that we had irresponsibility in the press corps at the time not to ask second questions and literally take police and prosecutor talking points and turn those into articles that people read as fact, and proceeded to shape their opinions about this case that essentially spoils the jury pool, so that these boys were never given a chance.



The real-life Central Park Five, Kevin Richardson, Antron McCray, Raymond Santana Jr., Korey Wise, and Yusef Salaam, attend the premiere of 'When They See Us' at the Apollo Theater on May 20, 2019, in New York City.

Dimitrios Kambouris/Getty

Trump's comments in his ads that he took out in 1989 were taken out just two weeks after the crime was announced—they hadn't even gone to trial, so it was impossible for them to have an impartial jury pool. The printing of their names in the papers for minors, and where they lived, was a jaw-dropper. All of this was done by "reputable" papers in New York that we still read, so I'm curious how these papers take responsibility for their part in this, and also possibly use this to review the part they play in *other* cases that may not be as famous as this.

**Your Oscar-nominated documentary *13th* also tackled racial inequality and criminal justice reform, and I'm curious what your thoughts are on the Trump administration's actions concerning criminal justice reform, with legislation like the First Step Act. I recently had a [semi-contentious conversation with one of the subjects of \*13th\*, Van Jones](#), about the Trump administration's work in this area.**

It's been a disaster. It's been an upsetting backslide from any of the small gains that were being made prior to him taking power, is what this is. There's been no instance of legislation protocols, of personnel put in place, any pronounced intention that there is any goal to really create change to build a just system. And so, conversation about it seems to be silly games on a Ferris wheel, because you'll keep going round-and-round if you take anything that's been proposed seriously. The context with which it's being proposed—in an administration that's done nothing but harm to people of color, to women, to LGBTQ people, to anyone that's outside of the dominant culture of cis white men—to have serious conversations with serious people wasting breath on debating the merits of any of it is not my focus. Not my focus. So, I leave it to you and Van to have those convos and I wish you well. But to me, it's pointless.



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**ROBERT RORKE**

ENTERTAINMENT

## ‘When They See Us’ sparks call to boycott Linda Fairstein books

By Robert Rorke

June 3, 2019 | 1:03pm | Updated

Linda Fairstein  
Getty Images

The explosive Netflix series “When They See Us,” which depicts in excruciating detail the so-called Central Park Five being railroaded by New York state into serving prison time for the rape and assault of the Central Park jogger in 1989, has social media demanding book retailers such as Amazon and Barnes & Noble stop selling the mystery novels written by Linda Fairstein.

Fairstein was head of the Manhattan Sex Crimes Unit when Trisha Meili was found nearly dead in the Central Park woods 30 years ago. The [four-part Ava DuVernay series](#), which debuted May 31, [portrays her](#) as utterly convinced of the guilt of the five Harlem boys, despite the complete lack of physical evidence that might tie them to the Meili assault.

Three days after the premiere, a [#CancelLindaFairstein](#) campaign is going viral — and has even expanded to include one of her publishers, Simon & Schuster, by way of a [#BOYCOTTSIMONSCHUSTER](#) tag. Angie Thomas, author of the young adult best-seller “The Hate You Give,” also [called out Fairstein’s other publisher](#), Penguin Random House.

To this day, Fairstein stands by the initial verdicts, even though [Mattias Ryes confessed](#) to the crime in 2002 and the convictions against the five young men were vacated. Scores of incensed viewers took to Twitter to register their outrage — and DuVernay herself weighed in on the brewing controversy.

“Linda Fairstein actually tried to negotiate. I don’t know if I’ve told anyone this, but she tried to negotiate conditions for her to speak with me, including approvals over the script,” DuVernay [tells the Daily Beast](#). “So you know what my answer was to that — and we didn’t talk.”

In the fourth episode of “When They See Us,” prosecutor Nancy Ryan (Famke Janssen) confronts Fairstein (Felicity Huffman) about the shoddy work executed by her department — and then stacks the four books Fairstein successfully published while the Central Park Five served six to 14 years in prison.

“Thanks for buying the books,” Fairstein says before leaving Ryan’s table.

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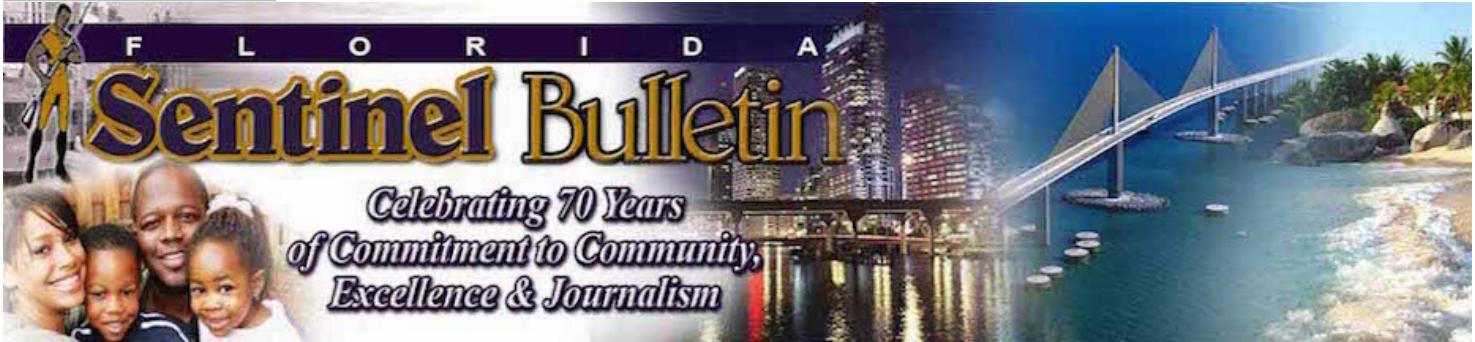
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## [Ava DuVernay on the Central Park Five Case and Why She Treated Trump as a 'Footnote'](#)

Posted on 03 June 2019.



It's just disgusting," sighs Ava DuVernay. The Oscar-nominated filmmaker and TV showrunner is discussing the role of President Donald Trump in the Central Park Five case, wherein five teenage boys of color—Korey Wise, Antron McCray, Yusef Salaam, Kevin Richardson, and Raymond Santana—were falsely convicted of the 1989 rape and vicious assault of Trisha Meili, a white investment banker, and...

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## Central Park 5 Investigator Linda Fairstein Tried To Colonize Ava DuVernay's Script

Linda Fairstein was literally trying to control Ava DuVernay, who clearly wasn't having it.

Written By [NewsOne Staff](#)  
Posted June 4, 2019

**A**va DuVernay's brilliant film "**When They See Us**" masterfully tells the story of the **Central Park 5**. In addition, the movie highlights how the lives of these Black children were destroyed by the criminal justice system and former Manhattan District Attorney's Office prosecutor **Linda Fairstein**. She has been chased off social media and now it's being revealed that she actually tried to control DuVernay's script.

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In an interview with The Daily Beast, DuVernay said she reached out to Linda Fairstein and other key figures, "I informed them that I was making the film, that they would be included, and invited them to sit with me and talk with me so that they could share their point of view and their side of things so that I could have that information as I wrote the script with my co-writers."

STORY CONTINUES BELOW ADVERTISEMENT



Yep, after allegedly lying on these five children, she literally tried to control the narrative.

Karma might be coming back for Fairstein. **TMZ** reports that Fairstein is on the board for Safe Horizon, which is a nonprofit that aides victims of abuse and violent crime in NYC. Staffers are reportedly “incensed the former prosecutor’s been allowed to remain on the board for so long, considering her checkered past.” The site also says, “We’re told the animosity began when the CEO held a meeting on May 21 where nearly 100 directors were informed about the Netflix drama and Fairstein’s connection to it.”

There are calls for her to be removed and the directors plans to take legal action if the CEO does not remove Fairstein.

The best-selling novelist retired from the Manhattan District Attorney’s Office in 2002, the same year that **Kevin Richardson, Raymond Santana, Antron McCray, Yusef Salaam** and **Korey Wise** were exonerated only because a fellow inmate came forward to confess. However, Fairstein has not only remained a novelist with a book deal with a major publishing house, but she has also enjoyed the privilege of being named to Vassar University’s Board of Trustees. Her status as a board member is allegedly under review there as well.



The shame has apparently gotten to Fairstein, whose Twitter account was deleted over the weekend.

**Oh, did someone have a bad weekend? #WhenTheySeeUs @WhenTheySeeUs @Ava pic.twitter.com/GPG1mFb2CJ**

— Kris Tapley (@kristapley) June 3, 2019

Watch the powerful trailer for “When They See Us” below, which is available on Netflix.

powered by AIR.TV

When They See Us | Official Trailer [HD] | Netflix



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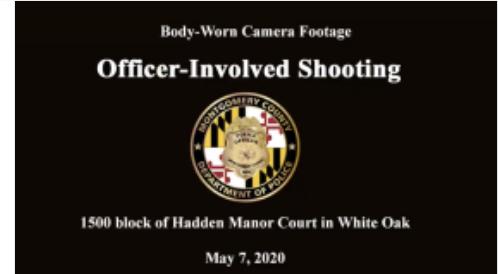
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